K 1943.

File No. Foodgrains Control II/43
Legal Department
B BRANCH

Subject:— Rules and Notifications under the Foodgrains Control Order, 1942.

(P 2 / E)

File No. Foodgrains Control II/43

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C O N T E N T S.

Legal Department File No. Foodgrains Control II/43.

Sr.No.	Compilation No.	Subject.	Pages.
		The Foodgrains Control Order, 1943 and Bombay Fodder & Grain Control Act, 1943.	
1	U.O. No.F.D.(Cir.3y) No.5240 dt. 10-1-44	Clause (1) and (2) Order under	
2	U.O. to I.D.No.9157 dt.1st to 15th Dec.1943.	Sec. 3(1) — Notification —	7-14

SNT/16.7.

14/7

Order.

Finance Department (Supply).

Bombay Castle, July 1943.

Foodgrains Control Order, 1942.

No. 76(1)-II.—In exercise of the powers conferred by sub-clause (1) of clause 6 of the Foodgrains Control Order, 1942, the Government of Bombay is pleased to cancel the licences specified in column 1 of the Schedule appended hereto and issued under the said Order by the Collector of Ahmednagar to the persons specified against them in column 2 of the said Schedule.

Schedule

1.	2.
Here specify the numbers of the licenses as on p.7.	Here specify the names etc. of the licensees as on p.7.

By order of the Governor of Bombay,

Secretary to Government.

SMT/14.7.

Order.

Finance Department (Supply)

Bombay Castle, July 1943.

Food-grains Control Order, 1942.

No. 76(1) -II.- In exercise of the powers conferred by sub-clause (2) of clause 6 of the Foodgrains Control Order, 1942, the Government of Bombay is pleased to cancel the licenses specified in column 1 of the Schedule appended hereto and issued under the said Order by the Collector of Ahmedabad to the persons specified against them in column 2 of the said Schedule.

Schedule

1.	2.
Here specify the numbers of the licenses as on p.9.	Here specify the names etc. of the licensees as on p.9.

By order of the Governor of Bombay,

Secretary to Government.

SNT/14.7.

Office of the R.L.A.

Clause 3 of the Foodgrains Control Order, 1942, gives power to the Provincial Government or to the officer authorised by the Provincial Government in that behalf to issue licenses for purchase, sale or storage for sale in wholesale quantities of foodgrains. Sub-clause (1) of clause 6 of the Order gives power to the Provincial Government or to the officer authorised by the Provincial Government in that behalf to cancel any license issued under clause 3 for contravention of any of the conditions mentioned in Form A. There may be cases in which there is no contravention of any of the conditions mentioned in Form A and yet it may be desirable to cancel the licenses issued under clause 3. To provide for such a contingency a provision has been made in sub-clause (2) of clause 6. Under that sub-clause power has been given to the Provincial Government on special circumstances to suspend or cancel a license issued under the Order. The cases in which there has been no contravention of any of the conditions in Form A but a surrender of licenses on account of the suspension or cessation of trade in wholesale quantities will be covered by the provisions of sub-clause (2) and the authority competent to cancel the licenses in such cases would be the Provincial Government alone. The view taken by the Commissioner in the concluding portion of para. 2 of his memo. at page 2 ante does not appear to be correct.

2. Revised draft orders are sent herewith. In an order of cancellation of licenses issued under clause 6(1) it is not necessary to specify the conditions of the license which have been contravened by the licensee. The reference to the conditions in the draft order at p.7 ante has therefore been omitted.

Sd/- P.N.M.
7/8.
Remembrancer of Legal Affairs.

14.7. U.R. to F.D. (Supply) No. 5240, dt. 10-8-43.

Revenue Department,

Bombay Castle, December 1943.

Bombay Fodder and Grain Control Act, 1939.

No. 6052/33.- In exercise of the powers conferred by sub-section (1) of section 3 of the Bombay Fodder and Grain Control Act, 1939 (Bom.XXVI of 1939), and in modification of Government Notifications in the Revenue Department No. 6052/33 dated 11th September 1941 as modified by Government Notification No.6052/33 dated the 19th December 1941, No.6052/33, dated the 29th June 1942, and No.6052/33, dated the 8th December 1942 and No.6052/33, dated the 3rd June 1943, the Government of Bombay is pleased to declare that a state of scarcity prevails in the district of Sholapur and to direct that the said district of Sholapur shall be deemed to be a scarcity area for the purpose of the said Act for a further period of six months after expiry of the ~~said~~ period specified in the last mentioned notification.

By order of the Governor of Bombay,

M.J.Desai,

Secretary to Government.

SNT/16.7.

Bombay Fodder and Grain Control Act,1939.

NOTIFICATION

No. 6052/33(a).- Whereas by Government Notification in the Revenue Department, No.6052/33, dated the 11th September 1941, the Government of Bombay has made a declaration under sub-section (1) of section 3 of the Bombay Fodder and Grain Control Act,1939 (Bom. XXVI of 1939) that a state of scarcity prevails in the district of Sholapur and has directed that the said area shall be deemed to be a scarcity area for a period of four months from the said date.

And whereas by Government Notification in the Revenue Department, No.6052/33, dated the 19th December 1941, the Government of Bombay has declared that a statement of scarcity prevails in the district of Sholapur and has directed that the said area shall be deemed to be a scarcity area for the purposes of the said Act, for a further period of six months after the expiry of the period mentioned in Government Notification in the Revenue Department, No.6052/33, dated the 11th September 1941.

And whereas by Government Notification in the Revenue Department, No.6052/33, dated the 29th June 1942, the Government of Bombay has declared that a state of scarcity prevails in the district of Sholapu and has directed that the said area shall be deemed to be a scarcity area for the purposes of the said Act, for a further period of five months after the expiry of the period specified in Government Notification in the Revenue Department, No.6052/33, dated the 19th December 1941.

And whereas by Government Notification in the Revenue Department, No.6052/33, dated the 8th Decembe 1942, the Government of Bombay has declared that a state of scarcity prevails in the district of Shola

Sholapur and has

and has directed that the said area shall be deemed to be a scarcity area for the purposes of the said Act for a period of six months after the expiry of the period specified in Government Notification in the Revenue Department, No 6052/33, dated the 29th June 1942.

And whereas by Government Notification in the Revenue Department, No.6052/33, dated the 3rd June 1943, the Government of Bombay has declared that a state of scarcity prevails in the district of Sholapur and had directed that the said area shall be deemed to be scarcity area for the purposes of the said Act for a further period of six months from after the expiry of the period specified in Government Notification in the Revenue Department, No.6052/33, dated the 3rd June 1943.

And whereas by Government Notification in the Revenue Department, No.6052/33, dated the 3rd June 1943, the Government of Bombay has declared that a state of scarcity prevails in the district of Sholapur and had directed that the said area shall be deemed to be a scarcity area for the purposes of the said Act for a further period of six months from after the expiry of the period specified in Government Notification in the Revenue Department, No.6052/33, dated the 3rd June 1943.

Now, therefore, in exercise of powers conferred by sub-section (1) of section 5 of the said Act, and in modification of Government Notification in the Revenue Department, No.6052/33(a), dated the 11th September 1941, as modified by Government Notifications in the Revenue Department, No 6052/33(a), dated the 19th December 1941, No. 6052/33(a), dated the 29th June 1942, No.6052/33(a), dated the 8th December 1942 and No. 6052/33(a), dated the 30th June 1943, the Government of Bombay is pleased to direct that no person shall, during the period for which the said declaration and direction are in force, namely, up to the 10th June 1944, remove fodder from the said scarcity area without permission in writing of the Collector of Sholapur or such other officer

as may be authorised by him in this behalf.

By order of the Governor of Bombay

M.J.Desai,

Secretary to Government.

SNT/16.7

Office of the R.L.A.

A declaration of scarcity of famine under the famine Relief Code is irrelevant for the purposes of the Bombay Fodder and Grain Control Act, 1939.

2. It appears from Secretary, R.D.'s note at page 4 that very soon there will be no area in the Province in which scarcity or famine exists. Action can be taken under sections 3 and 5 of the Bombay Fodder and Grain Control Act, 1939 only if a declaration under section 3(1) that a state of famine or scarcity prevails in some local area in the Province subsists. That condition being wanting, the proposed action is not feasible.

Sd/- P.M.M.
13/12.

Remembrancer of Legal Affairs.

U.O. to R.D.No.9157 dated the 14th December 1943.

SNT/16.U.